

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CBI CAPITAL LLC,

Plaintiff-Counterclaim Defendant,

-against-

MIKE MULLEN and MIKE MULLEN ENERGY EQUIPMENT RESOURCE, INC.,

Defendants-Counterclaim Plaintiffs

MIKE MULLEN ENERGY EQUIPMENT RESOURCE, INC.,

Third-Party Plaintiff,

-against-

EVAN CLAAR,

Third-Party Defendant

ANALISA TORRES, District Judge:

In light of the default judgment entered by the Court on June 17, 2021, Plaintiff's motion for summary judgment is dismissed without prejudice as moot. *See DISH Network L.L.C. v. Scott*, No. 11 Civ. 500, 2012 WL 4464751, at *5 (W.D.N.Y. Sept. 25, 2012).

The Clerk of Court is directed to terminate the motion at ECF No. 104.

SO ORDERED.

Dated: June 17, 2021
New York, New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/17/2021

19 Civ. 5219 (AT)

ORDER



ANALISA TORRES
United States District Judge